

REMARKS

Claims 1-15 are pending in this application. Claims 6-8 and 12-15 are withdrawn from consideration by the Examiner. By this Amendment, claims 1, 7 and 8 are amended. Support for amended claims 1, 7 and 8 can be found, for example, at page 3, lines 15-18, and page 5, lines 3 and 4, of the originally filed specification. No new matter is added.

By this Amendment, the specification is amended to delete a second period after the first full sentence on page 5 of the originally filed specification. No new matter is added.

The courtesies extended to Applicant's representative by Examiner La Villa at the interview held December 12, 2007, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

I. Restriction Requirement

The Office Action acknowledges Applicant's election with traverse of Group I. However, the Office Action maintains the Restriction Requirement arguing that there is no allowable generic or linking claim.

For the reasons discussed below, reconsideration and allowance of Group I is respectfully requested. Group II, claims 6 and 12-15, and Group III, claims 7-8, include all of the features of allowable claim 1, and thus, unity of invention exists, and the non-elected method claims must be rejoined with the elected product claims.

Accordingly, Applicant requests withdrawal of the Restriction Requirement and rejoinder of non-elected claims 6-8 and 12-15.

II. Claims Objections

The Office Action objects to claim 1, because of the word "therein." By this Amendment, "therein" is amended to "wherein." Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

III. Claim Rejections under 35 U.S.C. §103

A. Hamamura

The Office Action rejects claims 1, 3, 4 and 11 under 35 U.S.C. §103(a) as being unpatentable over Hamamura et al. (EP 0361308, "Hamamura"). Applicant respectfully traverses the rejection.

The Office Action asserts that Hamamura teaches corrosive protective coating a RE-TM alloy with a noble metal layer, suggests including Sm in the alloy, and suggests coating with Pt. Thus, the Office Action argues that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a RE-TM alloy having Sm and an alloy coating of Pt, because Hamamura suggests effective articles are made in this manner. See Office Action at p. 3, paragraph 7. Applicant respectfully disagrees.

By this Amendment, claim 1 recites the feature, "wherein the RE-TM alloy is a Sm-Co-Cu-Fe-T magnetic alloy, wherein T is at least one transition metal element selected from the group consisting of Zr, Hf, Ti, Cr, Nb, Mo, W, V, Ni, Ta and mixtures thereof."

Hamamura does not disclose, teach or suggest this feature. Hamamura discloses a corrosion-resistant permanent magnet formed of a sintered body of a permanent magnet consisting of R, wherein R is at least one of Nd, Pr, Dy, Ho and Tb. See Hamamura at p. 3, lines 45-48 and p. 13, claim 1. On the other hand, claim 1 does not require Nd, Pr, Dy, Ho or Tb in the rare earth transition metal alloy. Thus, one of ordinary skill in the art would not have been motivated to produce the RE-TM alloy structure of claim 1, because claim 1 does not include all of the elements required by Hamamura. Moreover, Hamamura does not teach or suggest modifying the disclosed permanent magnet composition so as to practice the claimed invention.

Accordingly, claim 1 would not have been rendered obvious by Hamamura. Claims 3, 4 and 11 variously depend from claim 1 and, thus, also would not have been rendered obvious

by Hamamura. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Chen in view of Hamamura

The Office Action rejects claims 1-5 and 9-11 as being unpatentable over Chen et al.¹ ("Chen") in view of Hamamura. Applicant respectfully traverses the rejection.

The Office Action asserts that Chen discloses the claimed SM-TM permanent magnets, and acknowledges that Chen does not teach coating the magnets with Pt. However, the Office Action argues that Hamamura teaches corrosive protective coating a RE-TM alloy with a noble metal layer and suggests including Sm in the alloys and Pt in the coating. Thus, the Office Action argues that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have coated the alloy of Chen with the Pt coating of Hamamura. Applicants respectfully disagree.

The alloy disclosed in Hamamura is entirely different from the alloy of Chen, because Hamamura requires a permanent magnet consisting of R, wherein R is at least one of Nd, Pr, Dy, Ho and Tb. On the other hand, Chen's alloy is an Sm-Co-Fe-Cu-Zr alloy and does not include at least one of Nd, Pr, Dy, Ho and Tb. See Chen Abstract. Consequently, one of ordinary skill in the art would have had no expectation of success that the Pt barrier layer of Hamamura would have been compatible with the Sm-Co-Fe-Cu-Zr alloy of Chen, because the two alloys are different.

Moreover, Hamamura discloses multiple barrier layers composed of a noble metal layer and a metal base metal layer, wherein the base metal is selected from the group consisting of Ni, Cu, Sn, and Co. See Hamamura at p. 3, lines 4-7 and 13-14. Thus, even if one of ordinary skill in the art did combine the Sm-Co-Fe-Cu-Zr alloy of Chen with the

¹ Chen et al., "Surface Reaction and Sm Depletion at 550°C for High Temperature Sm-Tm Magnets," IEEE Transactions on Magnetics, Vol. 37, No. 4, July 2001.

coating of Hamamura, one would arrive at a permanent magnet coated with multiple barrier layers having different chemical compositions.

Accordingly, claim 1 would not have been rendered obvious by Chen in view of Hamamura. Claims 2-5 and 9-11 variously depend from claim 1 and, thus, also would not have been rendered obvious by Chen in view of Hamamura. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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